

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services - Revenue Department - Village Revenue Officers - Chittoor District - Sri C. Jayarami Reddy, formerly Village Revenue Officer, Ammagaripalli (V), O/o the Tahsildar, Sodum Mandal, Chittoor District (retired on 30-06-2011) - Committed certain irregularities in assignment of land - Charges framed - Written statement of defense - Enquiry Conducted - Enquiry Report Communicated - Explanation Submitted - Provisional decision imposing a punishment of 15% cut in honorarium payable to him permanently - Show Cause Notice Issued - Representation received - APPSC Concurrence - Imposing a punishment of 15% cut in Honorarium payable permanently - Orders - Issued.

REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Rt.No. 1762

Dated:17-12-2012.

Read the following:

1. From the District Collector, Chittoor, Letter No.Rc. No. A815267/2010, Dt.26-07-2011.
2. Govt.Memo.No.33833/Vig.VII(2)/2011-1, Dt.22-09-2011.
- 3 Representation of Sri C.Jayarama Reddy, formerly V.R.O. (now retired), Dt.09-12-2011 received through the District Collector, Chittoor, Letter No.A8/15267/2010, Dt.17-12-2011.
4. Govt.Memo.No.33833/Vig.VII(2)/2011-3, Dt.07-03-2012.
5. Explanation of Sri C. Jayarami Reddy, V.R.O. (Retd.) dt. 27.03.2012
6. Govt.Lr.No.33833/Vig.VII(2)/2011-5, Dt.13-10-2012.
7. From the A.P.P.S.C., Letter No.1943/RT/1/2012, Dated:30-10-2012.

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ORDER :

Whereas it was brought to the notice of the Government that, during the inspection of the Revenue Divisional Officer, Madanapalle in Sodum Mandal, it was disclosed that as per village accounts, the land in Servey.No.70/2 with a total extent of 1.50 acres is shown as Government land. Out of the total extent of 1.50 acres, an extent of 0.66 acres was assigned in favour of Sri B.Surendra Reddy vide A.M.No.25/4/1377, Dated:05-07-1987. Though the land was assigned, possession was not given and boundaries were not shown to the assignee, as a result of which the assignee could not cultivate the land. This should have been done by the Village Revenue Officer, on receipt of assignment details from the Office of the Tahsildar but contrary to this, Sri C.Jayarami Reddy, Village Revenue Officer, who is a resident of Reddivaripalle Village deliberately encroached upon the land and got it entered in his name in Enjoyers column. However he issued kist receipts for the years 1993 and 1991 in favour of Sri B.Surendra Reddy. The name of the DKT pattadar was also entered in the village accounts. Further, it also came to light that the above land has been in possession and enjoyment of Sri C.Jayarami Reddy, Village Revenue Officer, of the said village. His family is having 8.32 ½ acres of land after exclusion of the land acquired under L.A. From the above, it is clearly established that Sri C.Jayarami Reddy, Village Revenue Officer is ineligible for assignment of Government land as he is having more than 5.00 acres of land and also as he is in Government employment as a Village Revenue Officer. He did not handover the piece of land to the assignee Sri B.Surendra Reddy in-spite-of his repeated requests and petitions made to various officers and because of this the latter not got any ex-gratia for this land.

2. On the said irregularity and based on the report of the Revenue Divisional Officer, Madanapalle, the District Collector, Chittoor placed Sri C.Jayarama Reddy, formerly Village Revenue Officer under suspension vide his proceedings No.A8/15267/2010, Dated: 29-12-2010 and also initiated disciplinary action by framing charges against him vide his proceedings No.A8/15267/2010, Dated: 29-12-2010. The charged officer submitted his explanation denying the charges. Since the charged officer denied the charges, the District Collector, Chittoor appointed the Revenue Divisional Officer, Madanapalli as Enquiry Officer and the Tahsildar, Sodum Mandal as Presenting Officer vide his proceedings Dated:27-01-2011. After conducting enquiry, the Enquiry Officer & Revenue Divisional Officer, Madanapalli submitted enquiry report stating that the land in Survey No.70/2 of Ammagaripalle was assigned in favour of Sri B.Surendra Reddy and the family members of delinquent Village Revenue Officer and particularly the delinquent is not eligible for any assignment. This being the case, he should not have occupied the Government land. Even if he or his family members occupied it, they should have vacated it, when it was brought to his notice that it was already assigned. But, he did not do it, which is a lapse on his part. On the other hand, when he came to know that it was not brought under cultivation and was never cultivated by Sri B.Surendra Reddy, the assignee he should have reported the same to the Tahsildar, Sodum for cancellation of patta and resumption of land assigned under D-form patta for violation of conditions of assignment. This also he did not do. Hence, the Inquiring Authority held that Charge-I is held proved, but the explanation of the Charged Officer for Charges-II & III can be accepted.

3. In the reference 1st read above, the Collector, Chittoor while furnishing the above proposals to Government stated that Sri C.Jayarami Reddy, Village Revenue Officer retired from service on 30-06-2011 and the disciplinary action against him should be finalized under rule 9(2) of the A.P.Revised Pension Rules, 1980, as Government is the competent authority to take action against retired persons.

4. Accordingly, Government in the reference 2nd read above communicated a copy of the Enquiry Officer's Report to the Charged Officer calling for his explanation on the findings of the Enquiry Officer as per sub-rule (2) of rule 21 of the A.P.Civil Services (CCA) Rules, 1991.

5. In the reference 3rd read above, the Charged Officer submitted his explanation wherein he denied the Charge-I, interalia contending that the alleged land in Survey No.70/2 of Ammagaripalle Village with an extent of Acs.1.50 was under occupation of his father for more than 50 years by way of doing regular wet cultivation prior to his appointment as Village Revenue Officer; The said land came into his possession after his father. Thus his name was recorded as the enjoyer that the Enquiry Officer could not scrutinize the said records properly and if the Enquiry Officer had verified the records properly, the issue would have come to light. He also contended that he never applied for assignment of the land in question, the present assignee Sri B.Surendra Reddy was allotted Ac.0.66 which was acquired for irrigation project and the compensation was awarded for the land. At that time he informed the facts to the Revenue Divisional Officer/LAO and the Revenue Divisional Officer inspected the land and stopped payment of compensation to Sri B.Surendra Reddy. Thus, he safe guarded the interest of the Government and averted payment of compensation to ineligible person. That the assignment of land to Sri B.Surendra Reddy came to his notice only when the said assignee claimed compensation, but before that he never cultivated the said

land. Thus the finding of the Enquiry Officer & Revenue Divisional Officer in respect of this Charge-I is not justified and should be overlooked. In respect of Charges-II & III, he stated that since the Enquiry Officer has accepted his explanation, they may be dropped.

6. Government, after careful examination of the matter keeping in view the findings of the enquiry report and the explanation of the Accused Officer, observe that the explanation of Accused Officer does not appear tenable. He was not eligible for assignment of Government land as he was not a 'land less poor person'. Being in Government employment and particularly being a custodian of Government land in the villages under his jurisdiction he should not misuse his official position for his personal benefit. Hence, Government have provisionally decided to impose a punishment of **15%** cut in the honorarium payable to Sri C.Jayarami Reddy, formerly Village Revenue Officer (now retired) permanently. Accordingly, Government, have called for his further explanation vide reference 4th read above.

7. In the reference 5th read above, the charged officer Sri C.Jayarami Reddy, formerly Village Revenue Officer (now retired) while narrating the facts of the case, has submitted that, the provisional conclusion arrived by the Government to impose a punishment of **15%** cut in the honorarium payable to him permanently is not justified on the facts of the case and to consider his explanation to drop the provisional conclusion.

8. The Government, after careful examination of the entire issue with reference to the Enquiry Officer's report, the explanation of the Charged Officer received through the references 3rd and 5th read above, the reasons cited at para(6) ante and in consultation with the A.P.Public Service Commission, decided to impose the punishment of a cut of 15% in the honorarium permanently on Sri C. Jayarami Reddy, formerly Village Revenue Officer, Ammagaripalli Village, Office of the Tahsildar, Sodum Mandal, Chittoor District (retired on 30-06-2011) under Rule-9 of the A.P.Revised Pension Rules, 1980.

9. Accordingly, Government hereby impose the punishment of a cut of 15% of the honorarium payable to Sri C.Jayarami Reddy, formerly Village Revenue Officer under Rule-9 of the A.P.Revised Pension Rules, 1980.

9. The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad/the Collector, Chittoor District shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri C. Jayarami Reddy, formerly Village Revenue Officer, Ammagaripalli (V), O/o the Tahsildar, Sodum Mandal, Chittoor District (now retired from service)

through the District Collector, Chittoor.

The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad.

The A.P. Public Service Commission, Nampally, Hyderabad.

The District Collector, Chittoor (He is requested to serve the copy to the

Individual and **submit the served copy** to the Government for record).
Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER